

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for Exemption ) DOCKET NO. 921216-SU  
from Florida Public Service ) ORDER NO. PSC-93-0401-FOF-SU  
Commission Regulation for ) ISSUED: 03/15/93  
Provision of Wastewater Service )  
in Putnam County by RIVER PARK )  
UTILITIES MANAGEMENT )  
ASSOCIATION, INC. )

ORDER INDICATING THE EXEMPT STATUS OF  
RIVER PARK UTILITIES MANAGEMENT ASSOCIATION, INC.

BY THE COMMISSION:

On November 30, 1992, River Park Utilities Management Association, Inc. (River Park or Association) filed its request for exemption from Commission regulation pursuant to Section 367.022(7), Florida Statutes. River Park's mailing address is Post Office Box 426, Welaka, Florida 32193. The Association's contact person is James W. Harper of Route #2, Box 208-E, Crescent City, Florida 32112. River Park currently provides wastewater service to the River Park Trailer Park located in Putnam County, Florida.

River Park requested that it be found exempt pursuant to Section 367.022(7) of Chapter 367, Florida Statutes. Under this section, "[N]onprofit corporations, associations, or cooperatives providing service solely to members who own and control such nonprofit corporations, associations, or cooperatives" are exempt from Florida Public Service Commission regulation. In addition, the Association filed its application in accordance with Rule 25-36.060(3)(g), Florida Administrative Code.

In its application dated December 23, 1992, the Association stated that it is a nonprofit corporation, that it will provide wastewater service solely to its members who own and control it, and that it will provide its own billing. The service area is specified as the areas of River Park, Fruitland, and Georgetown, in Putnam County, Florida. On February 18, 1993, the Association provided a copy of a recorded special warranty deed conveying to the Association the land upon which the facilities are located, thereby establishing proof of ownership of the facilities and continued use of the land where the facilities are located.

Based upon the facts as represented, we find that River Park is exempt from our regulation under the terms of Section 367.022(7), Florida Statutes. However, should there be any change

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in circumstances of River Park, a representative of the Association must inform this Commission within thirty days of such change, so that we may reevaluate the Association's exempt status.

It is, therefore,

ORDERED by the Florida Public Service Commission that, based upon the facts as represented, River Park Utilities Management Association, Inc., located at Welaka, Florida 32193, is hereby exempt from Commission regulation pursuant to the terms of Section 367.022(7), Florida Statutes. It is further

ORDERED that should there be any change in circumstances of River Park Utilities Management Association, Inc., a representative of the River Park Utilities Management Association, Inc., shall inform this Commission within thirty days of such change so that we may reevaluate its exempt status. It is further

ORDERED that this docket is closed.

By ORDER of the Florida Public Service Commission this 15th day of March, 1993.

  
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STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water or sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Civil Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.